

REMARKS/ARGUMENTS

Prior to the amendments presented herewith, claims 1-111 were pending. Claims 8-17, 19, 20, 22-25, 27, 38 and 111 are being amended. Claims 1-7, 18, 21, 26, 28-37, 39-51, 55 and 57-110 have been cancelled. Accordingly, after the present amendments have been entered, claims 8-17, 19, 20, 22-25, 27, 38, 52-54, 56 and 111 will be pending.

1. Information Disclosure Statements

Applicants thank the Examiner for acknowledging the Information Disclosure Statement filed on June 19, 2006.

However, two additional Information Disclosure Statements, filed February 23, 2005 and March 29, 2006 have not yet been acknowledged by the Examiner. Applicants respectfully request that the initialed copies of the PTO 1449 forms accompanying this submission be returned to Applicants. A duplicate copy of each of the forms filed on February 23, 2005 and March 29, 2006 are provided herewith. The Examiner is requested to contact Applicant in the event that the Office cannot locate the original filings.

Applicants also note that three other Information Disclosure Statements were filed August 15, 2006, September 7, 2006 and September 25, 2006, after the mailing date of the present Office Action.

Additionally, a new supplemental Information Disclosure Statement is being filed herewith.

2. Election/Restriction

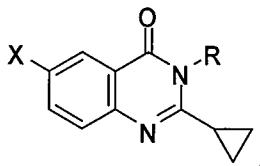
In the Office Action, the Examiner acknowledges Applicants' election of a single species, indicates that the elected species is free of prior art, and states that the initial search was extended. The Examiner indicates that the scope of the initial search was extended around the elected species to cover compounds wherein R_3 and R_4 are taken together to form a benzo ring; R_m is any ring; and R_2 is cycloalkyl or an N-containing ring. Applicants thank the Examiner for his consideration of the restriction.

In response, claims 25, 38 and 111 are being amended to read on the elected species. In addition, claims 1-7, 18, 21, 26, 28-37, 39-51, 55, 57 and 59-110 are being cancelled. Claims 8-

17, 19, 20, 22-25 and 27 are being amended to depend from claim 38 in accordance with the cancellation of claim 1.

3. Claim Rejections Under 35 USC §102

Claims 1-5, 8, 9, 11-15, 17, 18, 24, 26, 29, 38, 39, 55 and 56 are rejected as being anticipated by Somasekhara *et al.* However, Somasekhara *et al.* relates to 2-cyclopropyl-4-(3*H*)-quinazolinones having the general formula:



In other words, all of the compounds taught by Somasekhara *et al.* correspond to compounds of Formula XI of claim 38 where R₂ is an unsubstituted cyclopropyl. In contrast, the pending claims are being amended to relate to compounds wherein R₂ is a substituted 4-7 membered cycloalkyl or N-containing ring. Since Somasekhara *et al.* neither teaches or suggests the presently claimed compounds, the rejection of claims 1-5, 8, 9, 11-15, 17, 18, 24, 26, 29, 38, 39, 55 and 56 under 35 USC §102 should be withdrawn.

4. Claim Rejections Under 35 USC §112

Claim 1 and claims dependent thereon are rejected as allegedly being indefinite.

With respect to the term “substituted,” Applicants maintain that one of ordinary skill in the art would understand the bounds of the term “substituted” as it is used in the present claims, and that the rejection is improper. However, solely to advance prosecution of the present invention, claim 38 is being amended to recite particular substituents for R_m, R₂, R₉ and the ring formed by J, K, L and M. Support for the amendment can be found, for example, in the specification at paragraphs [0098] and [0199]-[0202], and original claim 39.

With respect to the phrase “R₃ and R₄ are taken together to form... a 5 or 6 membered ring,” Applicants maintain that one of ordinary skill in the art would understand the bounds of the phrase “R₃ and R₄ are taken together to form... a 5 or 6 membered ring” as it is used in the present claims. However, the cancellation of claim 1 renders the rejection moot.

Similarly, with respect to the phrase "Z is a moiety providing 1-6 atom separation," Applicants also maintain that those skilled in the art would readily understand that Z is a "linker" that joins R_m to the ring nitrogen of the compound of Formula X. However, for the sole purpose of advancing prosecution of the present application, Applicants are amending the claims to recite specific Z moieties. Support for the amendment can be found, for example, in the specification at paragraphs [0193] and [0197].

In light of the foregoing, the rejection under 35 USC §112 is believed to be overcome and should be withdrawn.

Claims 1-5, 8, 9, 11-13, 15-17, 19, 23, 26, 27, 29, 34 and 37-39 are rejected as allegedly failing to fully comply with the written description requirement. Claim 38 is being amended to delete the proviso, since the other claim amendments obviate the need for the proviso. Accordingly, the rejection of claims 1-5, 8, 9, 11-13, 15-17, 19, 23, 26, 27, 29, 34 and 37-39 under 35 USC §112 should be withdrawn.


CONCLUSION

Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

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